

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRATELLI COSULICH BUNKERS (HK) LTD.,

Plaintiff,

- against -

FAIR WIND SHIPPING CO. LTD.,

Defendant.

X

JUDGE MARRERO

07 CV 095
07 W
ECF CASE

AFFIDAVIT IN SUPPORT OF PRAYER FOR MARITIME ATTACHMENT

State of Connecticut)
)
 ss: SOUTHPORT
County of Fairfield)

Charles E. Murphy, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and represent the Plaintiff herein. I am familiar with the facts of this case and make this Affidavit in support of Plaintiff's prayer for the issuance of a Writ of Maritime Attachment and Garnishment, pursuant to Rule B of the Supplemental Admiralty Rules of the Federal Rules of Civil Procedure.

2. I have attempted to locate the Defendant within this District. As part of my investigation to locate this Defendant within this District, I checked the telephone company information directory, as well as the white and yellow pages for New York listed on the Internet or World Wide Web, and did not find any listing for these Defendant. Finally, I checked the New York State Department of Corporations' online database which showed no listing or registration for the Defendant.

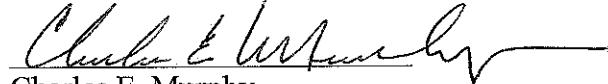
3. I submit that the Defendant cannot be found within this District within the meaning of Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims.

4. Upon information and belief, the Defendant has, or will have during the pendency of this action, tangible and intangible property within the District in the hands of ABN Amro, American Express Bank, Bank of America, Bank of New York, Citibank, HSBC (USA) Bank, J.P. Morgan Chase, Standard Chartered Bank, Nanyang Commercial Bank and/or Wachovia Bank N.A.

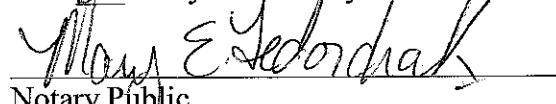
5. This is Plaintiff's first request for this relief made to any Court.

WHEREFORE, the Plaintiff respectfully requests that the Court authorize the issuance of process in the form of a Writ of Maritime Attachment and Garnishment seeking attachment and garnishment of Defendant's tangible and intangible property within this District in the hands of ABN Amro, American Express Bank; Bank of America, Bank of New York, Citibank, HSBC (USA) Bank, J.P. Morgan Chase, Standard Chartered Bank, Nanyang Commercial Bank and/or Wachovia Bank N.A.

Dated: February 12, 2007
Southport, CT


Charles E. Murphy

Sworn and subscribed to before me
This 12 th day of February 2007.


Mary E. Fedorak
Notary Public
